

### **REMARKS**

In response to the Final Office Action dated August 3, 2007, Applicant respectfully requests reconsideration based on the attached amendment and the following remarks. Applicant respectfully submits that the claims as presented herein are in condition for allowance.

Claims 1, 2, 4-7, 10-15, 17 and 19 are pending in the present application. Claims 1, 4, 6 and 15 have been amended, while claims 3, 8, 9, 16 and 18 have been previously canceled and claims 7-14 and 17-19 are presently canceled. No new matter has been added by the amendments. Applicant respectfully requests reconsideration of claims 1-2, 4-6 and 15 based upon the amendments and the following remarks.

#### **Claim Objections**

Claims 4, 6, 10, 12 and 19 stand objected to for informalities. The Examiner states that the limitation "the reference signal" in claims 4, 6, 10 and 12 lacks sufficient antecedent basis because claims 1 and 7 have been previously amended to remove the limitation "the reference signal". The Examiner states that claim 19 stands objected to for being dependent upon a rejected base claim, namely claim 18. Appropriate correction is required.

Claims 10 and 12 have been canceled rendering any objection thereto moot. Claims 4, 6 and 10 have been amended to delete reference to "the reference signal" and instead recite "analog signal of the photocell of the adjacent pixel" finding antecedent basis from previously amended claim 1.

Accordingly, it is respectfully requested that the objections to claims 4, 6, 10, 12 and 19 be withdrawn.

*Claim Rejections Under 35 U.S.C. § 102*

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988).

Claims 1, 2, 4-6 and 15 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Stettner (U.S. Patent No. 6,362,482). The Examiner states that Stettner discloses all of the elements of the abovementioned claims, primarily in FIG. 7, column 3, line 66- column 4, line 35, column 5, line 64-column 6, line 39, column 14, lines 41-64, and column 17, line 51-column 18, line 7. Applicant respectfully traverses for at least the following reasons.

Claims 1 and 15 have been amended to include the limitations of canceled claim 2, which recites, *inter alia*, wherein the digital signal is a digital signal having a 1-bit structure.

Claims 1 and 15 have been amended to include this limitation of canceled claim 2 in order to differentiate the 1-bit structured digital signal based process of the present invention from the analogue signal based process of Stettner, so as to overcome the Examiner's rejection under 35 U.S.C. 102(e) as shown in the amendment above.

Thus, it is respectfully submitted that claims 1 and 15, including claims depending therefrom, i.e., remaining claims 2 and 4-6, define over Stettner.

Therefore it is respectfully requested that the rejections of claims 1-2, 4-6 and 15 under 35 U.S.C. § 102(e) be withdrawn.

*Claim Rejections Under 35 U.S.C. § 103*

Claims 7, 10-13, 17 and 19 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stettner in view of Goto (U.S. Patent No. 6,982,759, hereinafter "Goto"). The Examiner states that Stettner discloses all of the elements of claims 7, 10, 17 and 12 except, *at least one second photocell for generating a second analog signal corresponding the received quantity of light*, which the Examiner further states is disclosed in FIG. 1 and column 2, lines 49-56 and column 5, line 54- column 6, line 14 of Goto. The Examiner states that Stettner discloses all of the elements of claim 11 except, *wherein at least one of the first and second photocells comprises a photo diode and a transistor, the photodiode generating a photocurrent corresponding to the received quantity of light*, which the Examiner further states is disclosed

primarily in column 2, lines 57-65 of Goto. The Examiner states that Stettner discloses all of the elements of claim 13 except, *at least a second photocell is arranged inside each of the plurality of pixels*, which the Examiner further states is disclosed primarily in FIG. 1 and column 2, lines 49-56. Furthermore, claim stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stettner in view of Goto and further in view of Shroyer (U.S. Patent No. 4,805,010, hereinafter "Shroyer"). The Examiner states that Stettner in view of Goto discloses all of the elements of claim 14 except, *the second photocell arranged outside each of the plurality of pixels*, which the Examiner further states is disclosed primarily in column 3, lines 43-61 of Shroyer. Applicant respectfully traverses all of the §1039a) for at least the following reasons.

Claims 7, 10-14, 17 and 19 have been canceled rendering any rejection thereto moot.

Accordingly, it is respectfully requested that the rejection to claims 7, 10-14, 17 and 19 under 35 U.S.C. 103(a) be withdrawn and allow the remaining pending claims to issue.

***Conclusion***

In view of the foregoing remarks distinguishing the prior art of record, Applicant submits that this application is in condition for allowance. Early notification to this effect is requested. The Examiner is invited to contact Applicant's Attorneys at the below-listed telephone number regarding this Amendment or otherwise regarding the present application in order to address any questions or remaining issues concerning the same. If there are any charges due in connection with this response, please charge them to Deposit Account 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: /James J. Merrick/

James J. Merrick  
Registration No. 43,801  
Confirmation No. 7809  
Cantor Colburn LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone (860) 286-2929  
Customer No. 23413

Date: November 2, 2007